

EXHIBIT “E”

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

FINANCIAL VISION CAPITAL GROUP II, LLC,

Plaintiff,

-against-

PEKA GROUP, LLC and DANIEL KANDHOROV,

Defendants.

Index No.: 612359/2022

Motion Seq. 4

(Gianelli, J.S.C.)

AFFIRMATION OF ZHAN PETROSYANTS

ZHAN PETROSYANTS, affirms and states under the penalties of perjury and pursuant to CPLR § 2106(b), as follows:

1. I am a nonparty to this action. I have personal knowledge of the facts set forth here.
2. I am submitting this affirmation in opposition to Plaintiff's motion for contempt.

As set forth below, all documents and communications in my possession, custody and control responsive to the Requests for Production have been produced, subject to the objections asserted by my counsel in my response to the subpoena directed to me.

3. In responding to the Requests for Production, I performed comprehensive searches in my personal email address of jpetrosyants@gmail.com, for all documents and communications responsive to the Requests for Production. All responsive emails are stored at that email address. There are no physical repositories where responsive emails would be located.

4. Specifically, on January 3, 2024, I performed searches for responsive documents in reviewing my emails with Howard Fensterman, Frank Carone and Daniel Kandorov, among others.

5. That same day, I provided documents and communications responsive to those search terms to my counsel in this action, Jacobs P.C. They reviewed those documents for responsiveness and privilege.

6. As to the unspecified documents that Plaintiff claims are not included in my production, in the ordinary course of business, I sometimes delete emails that fill up my inbox. I did not delete any emails to avoid producing them in this action. In fact, Abrams Fensterman LLP, my former lawyers, were copied on virtually every email that they complain I did not produce.

7. I also searched my cell phone. As a matter of practice, I delete my text messages every 7 days. I do not possess the text messages that Plaintiff's counsel complains I did not produce. It bears repeating that I am nonparty to this action.

8. Thus, I certify that all responsive documents and communications in my possession, custody and control have been produced.

9. I remain willing to appear in a deposition to testify as to my personal knowledge of the facts at issue in this action.

I affirm this 15th day of March 2024, under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that I am physically located outside the geographic boundaries of the United States, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States, that the foregoing is true, and I understand that this document may be filed in an action or proceeding in a court of law.


ZHAN PETROSYANTS

WORD COUNT CERTIFICATION

Pursuant to Section 202.8-b of the Uniform Civil Rules for the Supreme Court and the County Court, I hereby certify that the total number of words in this affidavit, exclusive of the caption, table of contents, table of authorities, and signature block, is 404. In preparing this certification, I have relied on the word count of the word-processing system used to prepare this document.

Dated: New York, New York
March 15, 2024

/s/ Adam Sherman
Adam Sherman